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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/981,995	10/19/2001	Ryuichi Ohmura	107858	7090

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OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, VA 22320

EXAMINER

ROSENTHAL, DANIELLE S

ART UNIT	PAPER NUMBER
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3644

DATE MAILED: 04/09/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/981,995

Applicant(s)

OHMURA, RYUICHI

Examiner

Danielle S. Rosenthal

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 October 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 October 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5,6.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Priority

1. Applicant has not complied with one or more conditions for receiving the benefit of an earlier filing date under 35 U.S.C. 119 as follows: An application in which the benefits of an earlier application are desired must contain a specific reference to the prior application(s) in the first sentence of the specification or in an application data sheet (37 CFR 1.78(a)(2) and (a)(5)).

Drawings

2. Figures 9, 10A, 10B, 11A, 11B, 12, 13 and 14A should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.
3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: line guides "q" on page 2, line 8. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

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Specification

4. The disclosure is objected to because the drawings include the following reference sign(s) not mentioned in the description: "D" in Figure 14A and "D" in Figure 14B. A proposed drawing correction, corrected drawings, or amendment to the specification to add the reference sign(s) in the description, are required in reply to the Office action to avoid abandonment of the application.

5. The disclosure is objected to because of the following informalities: page 2, lines 14-15, "the respective movable and fixed hoods "g" and "i"" should be changed to --the respective movable and fixed hoods "i" and "g"-- since "i" is called a movable hood on page 2, line 14.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 1-3 and 5 are rejected under 35 U.S.C. 102(b) as being anticipated by Yamato (5,222,319). Regarding claim 1, Yamato discloses a reel seat for a fishing rod comprising an oblong pipe shaped body through which the fishing rod body passes (Yamato, Fig. 1); a reel foot 8; a reel foot placing surface (Yamato, Fig. 1) formed on the

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top portion of the pipe-shaped body; a front hood F and a rear hood R that attach the reel foot to the reel foot placing surface; and a trigger 2 protruding from the lower portion of the pipe-shaped body at a fixed position and angle, the trigger sloping toward the downward and backward direction and having a length such that at least two of a user's fingers can be placed thereon. Note that the direction backward is interpreted to be relative to the front right portion of the grip 3. Since this direction has not been fully described in the claim as being backward in relation to another portion, the trigger can be interpreted as sloping backward relative to any portion of the reel seat. Further note that the top part of the trigger is sloped downward and backward in relation to the front hood. The bottom of the trigger curves inwardly but the top part curves backward. Further note that even though the trigger does not show two fingers, a trigger is designed to hold at least one finger and since the size of fingers vary, the trigger would be capable of holding at least two fingers of a smaller person.

8. Regarding claim 5 and the aforesaid discussion on claim 1, Yamato discloses the claimed invention including a handle 3 that extends backward from a position of the reel seat.

9. Regarding claim 2 and the aforesaid discussion on claim 1, Yamato discloses the claimed invention wherein the inclination angle of the front surface of the trigger is in a range of about 25° to about 55°. Note that the angle is determined from a line of axis

perpendicular to the center axis wherein the front portion of the trigger is interpreted as being the face nearest the grip portion.

10. Regarding claim 3 and the aforesaid discussion on claim 1, Yamato discloses the claimed invention wherein a portion of the front surface of the trigger is positioned behind a position immediately below an opening portion of the rear hood. Note that an opening portion of the rear hood is interpreted as being any part of the rear hood that has an aperture therein. Since the reel mount has a continuous aperture throughout the middle of the mount, the opening could be taken anywhere along the mount.

Claim Rejections - 35 USC § 103

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

12. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yamato in view of Foss (1,916,924). Regarding claim 4 and the aforesaid discussion on claim 1, Yamato discloses the claimed invention except for including a sliding prevention protrusion on the tip of the trigger. Foss discloses in the same field of endeavor a reel mount with a curved trigger such that the tip of the trigger slopes inward to prevent sliding of a user's fingers. It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the trigger of Yamato to include a

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trigger with a curved portion such that the tip protrudes inwards to prevent sliding of a user's fingers to ensure a useful trigger.

Conclusion

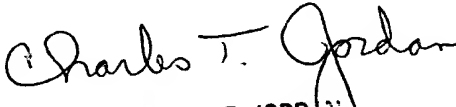
13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Simone (3,181,264), Barnes (4,077,150), Vance (4,209,931), Chang et al. (4,439,945), Ohmura (4,653,217), Ohmura (5,481,820) and Oyama (Des. 316,738) disclose related reel mounts for fishing rods.

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Danielle S. Rosenthal whose telephone number is (703) 305-2765. The examiner can normally be reached on M-Th & every other F, 8:00am-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Jordan can be reached on (703) 308-2484. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-7687 for regular communications and (703) 305-7687 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.


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